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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/620,048	RAMBO, DARWIN	
	<b>Examiner</b>	<b>Art Unit</b>	
	GERALD SMARTH	2146	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-26 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_ is/are allowed.
- 6) Claim(s) 1-26 is/are rejected.
- 7) Claim(s) \_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 15 July 2003 is/are: a) accepted or b) objected to by the Examiner.
 

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All    b) Some \* c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____ .                                     |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____ .   | 6) <input type="checkbox"/> Other: ____ .                         |

## **DETAILED ACTION**

1. The instant application having Application No. 10/620048 has a total of 26 claims pending in the application; there are 4 independent claims and 22 dependent claims, all of which are ready for examination by the examiner.

### **Claim Rejections - 35 USC § 102**

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-12, 14-16, 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Megiddo (6559863).

Regarding claim 1, Megiddo teaches a system for configuring a conference call comprising a computing device that is communicatively coupled with a server, (*Megiddo discloses FIG. 1a is a schematic illustration of a client computer operatively coupled to a server computer system in accordance with one aspect of the present invention; Column 3 lines 54-56*) said computing device capable of displaying, (*Fig 1c*) to a participant of a conference call, information regarding a status of the conference call based on at least one communication received from said server. (*Megiddo discloses in step 200, the server 25 provides an electronic conference room 100 for electronic communication between multiple users. In step 210, the electronic conference room 100 provides each user or client with a graphical image representing that user in the electronic conference room 100; Column 7 lines 48-51*)

Regarding claim 2, Megiddo taught the system of claim 1, as described above. Megiddo further teaches wherein said computing device comprises a display (*Fig 1c*) used for said displaying. (*Megiddo discloses the client computer 35 shown in FIG. 1c includes a Random Access Memory (RAM) 14, Read Only Memory (ROM) 16 an I/O adapter 18 for connecting peripheral devices such as disk storage units 20 to the bus 12, a user interface adapter 22 for connecting a keyboard 24, a mouse 26, a speaker 28, a microphone 32, and/or other user interface devices such as a touch screen (not shown) to the bus 12, communication adapter 34 for connecting the workstation to a communication network (e.g. a data processing*

***network) and a display adapter 36 for connecting the bus 12 to a display device 38; Column 5 lines 15-24)***

Regarding claim 3, Megiddo taught the system of claim 2, as described above. Megiddo further teaches wherein said display generates a graphical user interface. (***Megiddo discloses a graphical user interface is provided that allows a user to select a location in an electronic conference room where the user would like to be spatially located; Column 1 lines 37-43***)

Regarding claim 4, Megiddo taught the system of claim 3, as described above. Megiddo further teaches wherein said graphical user interface provides one or more lists of participants grouped by way of one or more conference calls (***Megiddo discloses preferably, the graphical image and the members of the user's group will appear closer on the user's computer's screen than other participants in the electronic conference room, regardless of location of the user in the electronic conference room; Column 2 lines 9-13 ).***

Regarding claim 5, Megiddo taught the system of claim 1, as described above. Megiddo further teaches wherein user inputs are generated using a point, click, and drag device. (***Megiddo discloses referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user***

***111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120. As can be seen in FIG. 2c, the user 111 then enters the second group 120 and the electronic conference room 100 rotates, so that the icon of the user 111 appears to be the closest icon of the icons representing the participants; Column 6 lines 41-61)***

Regarding claim 6, Megiddo taught the system of claim 5, as described above. Megiddo as teaches wherein said point, click, and drag device comprises a mouse. (***Megiddo discloses referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120. As can be seen in FIG. 2c, the user 111 then enters the second group 120 and the electronic conference room 100 rotates, so that the icon of the user 111 appears to be the closest icon of the icons representing the participants; Column 6 lines 41-61)***

Regarding claim 7, Megiddo teaches is a method of configuring side conference calls comprising: selecting one or more participant identifiers from at least one existing conference call; and positioning said selected participant identifiers into at least one side conference call identifier. (*Megiddo discloses referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120. As can be seen in FIG. 2c, the user 111 then enters the second group 120 and the electronic conference room 100 rotates, so that the icon of the user 111 appears to be the closest icon of the icons representing the participants; Column 6 lines 41-61*)

Regarding claim 8, Megiddo taught the method of claim 7, as described above. Megiddo further teaches wherein said positioning said selected participant identifier comprises: pointing to said selected participant identifier using a point, click, and drag device; clicking on said selected participant identifier using said point, click, and drag device; and dragging said selected participant identifier using said point, click, and drag device to said at least one side conference identifier. (*Megiddo discloses referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. The user may*

*choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120. As can be seen in FIG. 2c, the user 111 then enters the second group 120 and the electronic conference room 100 rotates, so that the icon of the user 111 appears to be the closest icon of the icons representing the participants; Column 6 lines 41-61)*

Regarding claim 9, Megiddo taught the method of claim 8, as described above. Megiddo also teaches wherein said point, click, and drag device comprises a mouse. (*Megiddo discloses referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120. As can be seen in FIG. 2c, the user 111 then enters the second group 120 and the electronic conference room 100 rotates, so that the icon of the user 111 appears to be the closest icon of the icons representing the participants; Column 6 lines 41-61*)

Regarding claim 10, Megiddo taught the method of claim 7, as described above. Megiddo further teaches, comprising creating said at least one side conference identifier for configuring said side conference calls. (***Megiddo discloses FIG. 5 is a flow diagram illustrating one particular methodology for carrying out the present invention with respect to creation and operation of the electronic conference room 100. In step 200, the server 25 provides an electronic conference room 100 for electronic communication between multiple users; Column 7 lines 48-51.***)  
***Megiddo further discloses a graphical user interface is provided that allows a user to select a location in an electronic conference room where the user would like to be spatially located. The graphical user interface provides each participant in the conference room with a graphical image representation thereof. The graphical image can be an icon representing the participant, a photograph or picture representing the participant, a real-time video picture provided by a camera connected to the participant's personal computer or other suitable graphical representation. According to one aspect of the present invention, a system and method is provided that allows participants in the electronic conference room to spatially move to any location in the electronic conference room by simply clicking and dragging (e.g., using a computer mouse) a graphical image representing the participant to a location in the electronic conference room; Column 3 lines 37-52)***

Regarding claim 11, Megiddo teaches a method of configuring one or more conference calls comprising: creating conference identifiers; and grouping participant identifiers into said conference identifiers. (*Megiddo discloses In accordance with yet another aspect of the present invention a system is provided for providing an electronic forum for allowing multiple users to communicate simultaneously with one another. The system includes means for providing an interface, a plurality of computers coupled to the means for providing an interface, means for providing each user of each of the plurality of computers with a graphic image in the electronic conference room representing the user, means for allowing each user to move their respective graphic image to form small groups with other users and means for communicating with other users within the group; Column 3 lines 14-26.* Megiddo further discloses referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120. As can be seen in FIG. 2c, the user 111 then enters the second group 120 and the electronic conference room 100 rotates, so that the icon of the user 111 appears to be the closest icon of the icons representing the participants; Column 6 lines 41-61)

Regarding claim 12, Megiddo taught the method of claim 11, as described above.

Megiddo further teaches wherein said conference identifiers comprise software objects.

***(Fig.4a, 4b) (Megiddo discloses FIG. 4b) about the participant to be displayed on the user's personal computer. The information screen 160 includes the following information about the participant: name 162; age 164; gender 166; occupation 168; hobbies 170; and marital status 172. It is to be appreciated that the above information is for illustrative purposes only and additional or different information about the participant may be provided. The user can then use this information to decide on whether or not to enter another group. Additionally, this information can be used to begin communication with the participant based on, for example, hobbies of mutual interest or an occupation of interest; Column 7 lines 36-47 )***

Regarding claim 14, Megiddo taught the method of claim 11, as described above. Ludwig further teaches comprising selecting a participant identifier to effectuate receipt of a corresponding video feed. ***(Megiddo further discloses a graphical user interface is provided that allows a user to select a location in an electronic conference room where the user would like to be spatially located. The graphical user interface provides each participant in the conference room with a graphical image representation thereof. The graphical image can be an icon representing the participant, a photograph or picture representing the participant, a real-time video picture provided by a camera connected to the***

**participant's personal computer or other suitable graphical representation.**  
**According to one aspect of the present invention, a system and method is provided that allows participants in the electronic conference room to spatially move to any location in the electronic conference room by simply clicking and dragging (e.g., using a computer mouse) a graphical image representing the participant to a location in the electronic conference room; Column 3 lines 37-52)**

5)

Regarding claim 15, Megiddo taught the method of claim 14, as described above. Ludwig further teaches wherein said corresponding video feed is displayed by a display. (*Megiddo further discloses a graphical user interface is provided that allows a user to select a location in an electronic conference room where the user would like to be spatially located. The graphical user interface provides each participant in the conference room with a graphical image representation thereof. The graphical image can be an icon representing the participant, a photograph or picture representing the participant, a real-time video picture provided by a camera connected to the participant's personal computer or other suitable graphical representation. According to one aspect of the present invention, a system and method is provided that allows participants in the electronic conference room to spatially move to any location in the electronic conference room by simply clicking and dragging (e.g., using a computer mouse) a graphical image representing the participant to a location in the electronic conference room; Column 3 lines 37-52*)

Regarding claim 16, Megiddo taught the method of claim 15, as described above.

Megiddo also teaches wherein said display utilizes a graphical user interface.

**(Megiddo discloses a graphical user interface is provided that allows a user to select a location in an electronic conference room where the user would like to be spatially located; Column 1 lines 37-43 )**

Regarding claim 20, Ludwig teaches a method of graphically viewing and participating in one or more conference calls comprising selecting participants for one or more conference calls by way of pointing, clicking, and dragging participant identifiers into one or more conference identifiers. **(Megiddo discloses referring to FIGS. 2b-2c, the user 111 decides to enter the second group 120. The user may choose to enter the group 120 because the user 111 overhears a conversation of interest to the user 111, or sees a participant that the user would like to meet due to appearance or simply because the user has tired of the conversation with the second graphic image 112. The user 111 clicks and drags, using a drags, using a computer mouse, the icon representing the user 111 into or near to the second group 120. As can be seen in FIG. 2c, the user 111 then enters the second group 120 and the electronic conference room 100 rotates, so that the icon of the user 111 appears to be the closest icon of the icons representing the participants; Column 6 lines 41-61) (Ludwig discloses the preferred embodiment provides two ways for initiating a conference call. The first way is to add one or more parties**

***to an existing two-party call. For this purpose, an Add button is provided by both the collaboration Initiator and the Rolodex, as illustrated in Figs. 2A and 22. To add a new party a user selects the party to be added (by clicking on the user's rolodex name or face icon as described above); Column 24 line 39-46)***

**Claim Rejections - 35 USC § 103**

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 13, 17, 18, 21, 22, 25, & 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Megiddo (6559863) in view of Ludwig (5758079).

Megiddo does not specifically teach conference identifiers comprise software objects.

Regarding claim 13, Ludwig in view of Megiddo taught the method of claim 12, as described above. Ludwig further teaches wherein said software objects may incorporate a conference call name, icon, logo, or insignia.

Megiddo does not specifically teach software objects may incorporate a conference call name, icon, logo, or insignia.

However Ludwig does teach software objects may incorporate a conference call name, icon, logo, or insignia (**Ludwig: Fig 40. Ludwig further discloses he then reinitiates (by selecting deferred call indicator 230, shown in FIG. 40) his deferred call with field representative 201 and his client 202, as shown in FIG. 41. )**

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify a conferencing system as taught by Megiddo to include conference call name, icon, logo or insignia such as depicted by Ludwig's Fig 40. One of ordinary skill in the art would have been motivated to make this modification in order to have a conferencing system to include naming of a conference call in order to differentiate between numerous conference calls.

Therefore it would be obvious to combine Megiddo and Ludwig to come to limitations in claim 13.

Regarding claim 17, Megiddo taught the method of claim 14, as described above. Ludwig further teaches also comprising generating a new window for displaying said corresponding video feed. (**Ludwig discloses Figs. 8A, 8B and 8C illustrate the**

***video window on a typical CMW screen which may be generated during operation of a preferred embodiment of the present invention; Column 4 line 36-38.)***

Regarding claim 18, Ludwig in view of Megiddo taught the method of claim 11, as described above. Ludwig also teaches further comprising locking said one or more conference calls to prevent participation by additional participants. (***Ludwig discloses a client can create an exclusive service on a set of ports to prevent other clients from creating services on these ports; Column 21 line 25-26.)***

Regarding claim 19, Ludwig in view of Megiddo taught claim 11, as described above. Ludwig also teaches further comprising providing a roll call of participants participating in said one or more conference calls. (***Ludwig discloses, in addition to the controls shown in Fig. 8B, the multi-party conference screen also includes buttons/ menu items that can be used to place individual conference participants on hold, to remove individual participants from the conference; Column 24 line 21-25.)***

Regarding claim 21, Megiddo taught the method of claim 20, as described above. Ludwig also teaches further comprising selectively receiving an audio feed of said one or more conference calls by way of using said one or more conference identifiers. (***Ludwig discloses Client programs can specify which of the 4 physical***

***connections on its ports should be switched. This allows client programs to establish unidirectional calls (e.g., by specifying that only the port's input connections should be switched and not the port's output connections) and audio-only or video-only calls (by specifying audio connections only or video connections only; column 20 line 57-63. This allows the collaboration Initiator to find collaboration participants no matter where they are located; Column 21 line 7-9.)***

Regarding claim 22, Ludwig taught the method of claim 21, as described above. Further comprising receiving a video feed of said conference call by way of using said participant identifiers. (***Ludwig discloses when a multi party conference call is initiated, the CMW provides a screen that is similar to the screen for two-party calls, which displays a live video picture of the caller's image in a video window. However for multi-party calls, the screen includes a video mosaic containing a live video picture of each of the conference participants; Column 24 line 10-16.***)

Regarding claim 25 Ludwig taught the method of claim 22, as described above. Ludwig further teaches wherein said video feed comprises a recorded playback of said one or more conference calls. (***Ludwig states teleconferences may be recorded and stored for later payback, including both audio/video and all data interactions; Column 3 line 12-14.***)

Regarding claim 26 Ludwig taught the method of claim 25, as stated above. Ludwig further teaches wherein said recorded playback comprises an image enhanced playback. (**Ludwig discloses audio/video editors and views running on the client workstation use the same software interfaces as the multimedia teleconferencing system to establish these network connections; Column 28 line 48-67 and Column 32 line 45-47.**)

5. Claims 23 & 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Megiddo (6559863) in view of Flanagan (6339754).

Regarding claim 23, Megiddo in view of Ludwig taught the method of claim 21, as described above. Megiddo nor Ludwig do not teach comprising receiving a translated version of said audio feed.

However Flanagan teaches receiving a translated version of said audio feed. (**Flanagan discloses the present invention relates generally to a system for automated translation of speech in a real-time conferencing or chat environment. Particularly, the present invention integrates speed recognition, machine translation, and speech generation technology into a system for accepting messages from and broadcasting messages to subscribers of an online information system such that a message spoken by a subscriber in a first**

*language may be heard by subscribers in a second language. ; column 1 line 13-21)*

Megiddo and Flanagan are analogous art because they are from the same field of endeavor of computer conferencing.

It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify a conferencing system as taught by Megiddo to include a translation audio feed as taught by Flanagan. One of ordinary skill in the art would have been motivated to make this modification in order to have a conferencing system to include the translation of Flanagan because it provides the advantage of multi language participants to partake in the conference without a live translator (another person) present or a transcript which has to be sent to be translated. This will make for a more efficient conference call.

Therefore, it would be obvious to combine Megiddo with Flanagan for the benefit of creating an audio/video conferencing system to obtain the invention as specified in claim 23.

Regarding claim 24, Megiddo and Ludwig in view of Flanagan taught the method of claim 23, as described above.

Flanagan further teaches translated version is generated at server. (*Flanagan discloses in a preferred embodiment of the present invention, translation services are provided by one or more dedicated servers executing application*

***software that has been designed to provide translation of many types electronic communications; Column 6 line 46-50).***

**Conclusion**

6. The following prior art made of record and not relied upon is cited to establish the level of skill in the applicant's art and those arts considered reasonably pertinent to applicant's disclosure. See MPEP 707.05 ©.
7. The following reference teaches execution of trial data.
  - US 2001/6289382
  - US 1999/5999525
  - US 2003/6584076
  - US 2004/6816468
  - US 2003/0110220

The examiner requests, in response to this Office action, support be shown for language added to any original claims on amendment and any new claim. That is indicated support for newly added claim language by specifically pointing to page(s) and line no(s) in the specification and/or drawing figure(s). This will assist the examiner in prosecuting the application.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gerald Smarth whose telephone number is (571)270-1923. The examiner can normally be reached on Monday-Friday(7:30am-5:00pm)est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Pwu can be reached on (571)272-6798. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/G. S./

Examiner, Art Unit 2146

/Jeffrey Pwu/

Supervisory Patent Examiner, Art Unit 2146